

1910-049 Chancery Cause: C. B. Pearson vs. Viney Pearson
Lee Co.

Ray, Anderson, Minor

CA-Divorce
T-Vices

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of Lee County Virginia:

Humbly complaining your complainant C.B.Pearson, would respectfully represent and show unto your honor that he was married to one Viney Ray on the ___ day of ___ 1908, with whom he lived happily until a short time ago when she became enamored and in love with one H.C. Anderson, and committed acts of adultery with him, and left your complainant and is now living in adultery with said Anderson who is a married man. Your complainant alleges that his said wife has been guilty of acts of adultery with said anderson in Lee County in the neighborhood and vicinity of Towell's Ford and other places, that said acts were with the procurement and connivance of your complainant, and within five years before the institution of this suit. Your complainant is a resident and citizen of Lee County Va. and has been all his life. Your complainant alleges that he is a citizen of this Lee County and has been all his life, and that he is entitled to a divorce from his said wife on the grounds of adultery.

The prayer of your Complainant is that the said Viney Pearson be made a party defendant to this bill and answer the same but not on oath, that being waived that proper process issue, and that your Complainant be granted a divorce a vinculo matrimonii, and that your honor grant all the relief generally that the nature of his case may require or to equity seem meet and he will ever pray &c.

M. H. Gol P. Q.

et

C. B. Pearson. Off
W. E. Bill in Chancery -
Viney Pearson Deft

1910^{1st} August Rules
" " Bill filed, Spa.
" " et contd
1910^{2nd} August Rules
" " Cause set for
hearing.

Costs:

Clerk \$3.55 pd.
Tax 1.50 pd.
Shff. 1.90
Atty. 15.00
Depto. 2.75
\$24.70

M. G. ELY

COMMONWEALTH'S ATTORNEY
Jamestown, Virginia

C. B. Pearson Plaintiff.
against $\frac{1}{2}$ In Chancery
Viney Pearson. Defendant,
This cause came on this day to be
heard upon the ~~papers formerly read in~~
~~the cause~~ bill of plaintiff and deposition filed
therein, pro & con, executed on the
defendant, and was argued by counsel,
on consideration of which, the court being
of opinion, that the allegations of said bill
are proven, it is adjudged ordered and
decreed, that the bonds of matrimony heretofore
contracted and now existing between the
plaintiff and defendant be dissolved
and the plaintiff be divorced a vinculo
matrimonii from his said wife,
and the Plaintiff will pay the cost
of this suit and the cause is stricken
from the docket,

C. B. Pearson Deft.
vs. Secre -
Wm. Pearson Deft.

Entered in C.B.
No 9. page 41

Enter this

H. A. W. Sney

Sept. 6th 1910 -

The depositions of Jackson Minor and Roby Pearson taken before me, Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, at the office of M. G. Ely, in the town of Jonesville, Va. on the 6th day of August, 1910, pursuant to notice hereto attached, which depositions are intended to be read as evidence in behalf of the plaintiff in a certain suit in Chancery now pending in the Circuit Court of Lee County, Va. in which C. B. Pearson is plaintiff and Viney Pearson is defendant.

Present: M.G.Ely attorney for plaintiff.

No witness appearing on this day the taking of these depositions is adjourned until the 15th day of August, 1910 at the same place

Geo. P. Cridlin Comr. in Chy.

Met pursuant to adjournment at the law office of M.G.Ely, in Jonesville, Va. on the 15th day of Aug., 1910.

Present M. G. Ely, attorney for plaintiff.

Jackson Minor, a witness of lawful age being first duly sworn deposes as follows:

Q.1.-- State your age, place of residence and your occupation? and whether or not you are acquainted with the parties to this suit?

A.--I am 26 years old, reside near Towell's Ford, in Lee County, Va. my occupation is farming, and I am acquainted with the parties to this suit.

Q.2.-- Please state when and where they lived when they separated and why they separated, if you know.

A.-- They lived on H. C. Anderson's place when they separated. I do not know why they separated, except that she told me that she didn't like Carr, the plaintiff, and did not intend to live with him. It was my understanding that they separated because she was too thick with said Anderson, though I do not know that she was too intimate with him.

Q.3.-- State whether or not you ever saw H.C.Anderson at her house when she was at home and when Carr was gone?

A.-- I have seen him there three or four times when there was no body else there but Anderson and the defendant. That was a little over six months ago.

Q.4.-- Have you seen them associating together at any time since the separation, and if so tell when and all about it.

A.-- Along last March, as well as I remember, the last of that month. I saw her go to Tom Bowen's house one day, and some five or ten minutes after she went in there Anderson went out to the house from the store where he was when she came, and after staying there a very few minutes he and her came out went out through the barn lot and went out of my sight for a short time and then I saw them in the road beyond the barn lot, and suppose they came out of the barn lot into the road, they went on out the road a little way and stood there and talked an hour or more. They started off together, and stopped and were talking again and I went in the shop and never saw them any more. I have seen Anderson and the defendant here together in Jonesville to-day, and he has a button picture of the defendant wearing on his suspenders. I heard them talking together a little while ago and heard him offer her his horse to ride home, and this conversation was carried on in an undertone, in an attempt apparently to prevent others from hearing what he was saying. The plaintiff has lived in my neighborhood in this County for more than a year before the institution of this suit, and he and the defendant last lived together as man and wife in this County.

Q.5.-- Please state whether or not H.C. Anderson is a married man.

A.-- He is a married man, having a wife and several children.

And further this deponent saith not.

Wit. attendance 1 day .50

Jackson ^{his} Minor
mark

Roby Pearson, another witness of lawful age, being first duly sworn deposes as follows:

Q.1.-- State your age, residence and occupation, how long have you known the parties to the suit, and what relation are to them, if any.

A.-- The records shows my age to be 48, I live near Hagan, Va., am a farmer. I am a brother to the plaintiff and have known him all his life, and have known defendant about twelve years.

Q.2.--State if you know where the defendant lives, and how long has

She lived there?

A.-- She has been living at my house nearly all the time since she and Carr separated. My wife is her mother.

Q.3.-- State whether or not H.C. Anderson came to see her while she was at your house, and how often and whether or not they would meet out together from your house?

A.-- He has been to my house several times, while I lived near Yeary's Mill, and where I live now. I never would allow him to come in the house, but she would go out and meet him and have talks with him, and would take walks off with him. I have heard her say that she loved Anderson, and I also heard her say that Anderson wanted her to run off with him, and that he told her if she didn't go he would kill her.

Q.4.-- State whether or not other men have also come to see defendant while she has been at your house, and whether or not they had private talks with her?

A.-- Yes, Ora Shupe has been there, and I have noticed them having some talk together. Shupe was there one Sunday when Anderson came, and heard me order Anderson to not come in the house.

The defendant went out one night in her night clothes to talk to Anderson, she took a valise to him, and then came back and put on her clothes and went back to him, and I dropped off to sleep and do not know how long she staid out. Anderson also came to my house one night and tired to get in to her through the window but didn't do it, and I don't remember whether she went out to him or not, my best impression is that she did, though I did not see her.

Q.5.-- From what you know, and what you have seen between Anderson and the defendant, do you or not believe that there is improper conduct going on between them.

A.-- I do not know of course, but of course my idea is from there
there
actions that is improper relations between them.

And further this deponent saith not.

Wit. Oline, 1 day .50

Robt. X. Pearson
mark

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing depositions of Jackson Minor and Roby Pearson, were taken, sworn to and subscribed before me at the time, place and for the purpose in the caption mentioned.

Given under my hand this the 15th day of August, 1910.

Geo P Cridlin
Commissioner in Chancery.

Witnesses F.F.Ledford and Ora Shupe, attended but were not examined, and claimed each one day's attendance.

Geo P Cridlin Commissioner

C. B. Pearson
vs. { In Chy.

Viney Pearson

Depositions	Costs
Jackson Minor	50
Ruby Pearson	50
F. F. Lufford	50
Ora Shupe	50
	<u>\$2.00</u>
Cour. fee	75
	<u>\$2.75</u>

Filed Aug. 15, 1910.

J. C. Ewing, Clerk.

To *Pinney Pearson* -

Take notice that *I* shall, on the *6th* day of *Aug* 19*10*
at *M. H. Ealy's Law office in Charlottesville Va.*

between the hours of *6* A. M. and *6* P. M., on that day, proceed to take the depositions
of *Jack Minor* — and others, to be read in evidence in *my* behalf,
in a certain *Suit* depending in the *Circuit* court for the *County*
of *Lee* wherein you are *Defendant*,
and *I am Plaintiff*

and if from any cause, the taking of the said depositions be not commenced on that day, or if
commenced, be not concluded on that day, the taking of the same will be adjourned and con-
tinued from day to day, or from time to time, at the same place and between the same hours,
until the same shall be completed. Very respectfully,

C. B. Pearson.
By counsel -

C. B. Pearson

vs. }

NOTICE TO TAKE
DEPOSITIONS.

Viney Pearson

M. H. Ely

p. q.

Executed by delivering
 a true copy of this notice
 to Sarah Pearson who
 being a member of
 the family of the said
 father and a bond to
 age of 16. At Viney
 Persons usual place
 of a bond she rat
 being four & three
 July 27-1901. C. B. Pearson D.S.
 For M. H. Ely
 & H. C.

M. G. ELY

COMMONWEALTH'S ATTORNEY

Jonesville, Virginia

To W. C. Smith Constable of Lee County Va. F. F. Ledford
I Command you to summon Ora Shipe and
James C. Morgan to appear at, M. G. Ely's Law office
in Jonesville Va. on August 15th 1910. To testify
in behalf of the Plaintiff in a certain suit pending
in the Circuit Court of Lee Co. wherein, C. B.
Pearson is Plff. Ed. Viny Pearson is defendant.
Given under my hand, this Aug. 9th 1910 -

M. G. Ely, Commi
Cly

executed by
Simpsoning.
all the within
named persons
this Aug 12th 1910.
W. C. Smith
C. L. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Viney Pearson

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *1st* Monday in *August* 19*10*, to answer a bill in chancery exhibited against *her*

in our said court by C. B. Pearson

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *16th*
day of *July*, 19*10*, and i *35*" year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Executed by delivering a true copy of
 The within to Sarah Pearson the being a member
 of the family and a house the age of 16 years
 and explained to her the purport of the same
 and at Vincy Pearsons usual place of abode
 she sub-sub being found there
 July 29th. - 1910 C. E. Garrett D.S.

For W & Tupper & Co

C. E. Pearson

SUBPOENA
IN
CHANCERY

VS

Vincy Pearson

M. G. Ely

p. q.

To 1st August

Rules

Lee Circuit

Court

1910.

Given at over - she is giving to born. done near
 Harrison Edge